

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Allanna Warren,

Plaintiff,

v.

Sparks Police Department, et al.,

Defendants.

Case No. 2:23-cv-00065-GMN-DJA

Order

Before the Court are *pro se* Plaintiff Allanna Warren's two motions to proceed *in forma pauperis*. (ECF Nos. 15 and 25). 28 U.S.C. § 1915(a)(1) provides that the Court may authorize the "commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor..." However, Defendant Las Vegas Metropolitan Police Department has already paid the filing fee to remove this action to federal court. (ECF No. 1). Therefore, Plaintiff need not move to proceed *in forma pauperis* to prosecute this case and the Court denies her motions as moot.

The Court notes, however, that Plaintiff's motions to proceed *in forma pauperis* follow two bills of costs filed under Fed. R. Civ. P. 54(d)(1).¹ (ECF Nos. 12 and 24). It thus appears that Plaintiff may have been responding to the bills of costs through her motions to proceed *in forma pauperis*. However, an *in forma pauperis* application is for prosecuting an action without paying the *filing* fee, not for responding to bills of costs.

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¹ Under Federal Rule of Civil Procedure 54(d)(1), costs are allowed to the prevailing party. That rule directs that the clerk of court "may tax costs on 14 days' notice." Fed. R. Civ. P. 54(d)(1). Local Rule 54-1(a) states that prevailing parties "must file and serve a bill of costs and disbursements on the form provided by the clerk no later than 14 days after the date of entry of the judgment or decree."

1 **IT IS THEREFORE ORDERED** that Plaintiff's motions to proceed *in forma pauperis*
2 (ECF Nos. 15 and 25) are **denied as moot**.

3
4 DATED: May 23, 2023



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE